

MONDAY, MARCH 25, 1991

TWENTY-SIXTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Donald C. Pharris, Fairview Baptist Church, Lebanon, Tennessee.

Representative Joe Bell led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 92

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Robinson (Hamilton) on Monday, March 25 and Tuesday, March 26; due to an automobile accident.

Representative Stamps; due to death in family.

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PRESENT IN CHAMBER

Representatives Clark, Garrett, Robinson (Davidson) and Turner (Hamilton) were recorded as being present in the Chamber.

CONSENT CALENDAR

***House Bill No. 1250** -- Health and Environment, Dept. of -- Renames department as department of health. Amends TCA 4-3-101, 104, 111, 113.

House Bill No. 0012 -- Publications, State -- Requires secretary of state to distribute public acts to assessors of property. Amends TCA 12-6-102.

On motion, House Bill No. 12 was made to conform with Senate Bill No. 23.

On motion, **Senate Bill No. 23**, on same subject, was substituted for House Bill No. 12.

House Bill No. 0644 -- Water Resources -- Permits members of watershed board to be compensated. Amends TCA, Title 69, Ch. 7.

On motion, House Bill No. 644 was made to conform with Senate Bill No. 1144.

On motion, **Senate Bill No. 1144**, on same subject, was substituted for House Bill No. 644.

House Bill No. 0549 -- Environmental Preservation -- Designates "U.A. Moore Wetlands Acquisition Act". Amends TCA, Title 11, Ch. 14, Pt. 4; Title 67.

House Bill No. 1394 -- Utilities, Utility Districts -- Permits electric utility companies in Claiborne County to erect antenna on lookout tower. Amends TCA, Title 11.

House Joint Resolution No. 0158 -- Memorials, Personal Occasion -- Ewing Jackson Harris.

House Joint Resolution No. 0161 -- Memorials, Public Service -- Dr. T.N. Humphrey.

House Joint Resolution No. 0162 -- Memorials, Death -- Coach Raymond James.

House Joint Resolution No. 0164 -- Memorials, Sports -- Coach Jim Smiddy.

House Joint Resolution No. 0165 -- Memorials, Retirement -- Audene W. Phillips.

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House Bill No. 1543 -- Bradley County -- Repeals litigation tax. Amends Chapter 205, Private Acts of 1980, as amended.

House Bill No. 1550 -- Bolivar -- Authorizes construction of civic center/sports complex. Amends Chapter 142, Private Acts of 1953, as amended.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	90
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 90.

Representatives present and not voting were: Napier -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to **Rule No. 31**, I wish to express a desire to change my original stand from not voting to aye on the Consent Calendar and have this statement entered in the Journal.

Robb Robinson

REGULAR CALENDAR

House Bill No. 0798 -- Education -- Exempts high school students from physical education requirement during participation in interscholastic athletics. Amends TCA, Title 49, Ch. 6, Pt. 12.

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Further consideration of House Bill No. 798, previously considered on March 4, 1991, at which time it was reset to the Calendar for March 25, 1991.

Rep. Bivens moved that **House Bill No. 798** be re-referred to the Education Committee, which motion prevailed.

House Bill No. 0632 -- Real Property -- Permits court to grant mutual use easement when landlocked property owner petitions for private road easement. Amends TCA, Title 54, Ch. 14.

Rep. Buck moved that House Bill No. 632 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	1
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Chiles -- 1.

Representatives present and not voting were: Napier -- 1.

A motion to reconsider was tabled.

***House Bill No. 0210** -- Real Property -- Establishes method for proving chain of title in certain circumstances. Amends TCA, Title 29, Ch. 15, Pt. 1.

Rep. Davis (Cocke) moved that House Bill No. 210 be reset two weeks to the Calendar for April 8, 1991, which motion prevailed.

***House Bill No. 0479** -- Unclaimed Property -- Authorizes disposition of unclaimed funds held by Tennessee Temporary Joint Underwriting Association and stabilization reserve fund.

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Rep. Davis (Cocke) moved that House Bill No. 479 be passed on third and final consideration.

Rep. Davis (Cocke) moved to amend as follows:

Amendment No. 1

Amend House Bill No. 479 by adding in Section 1, after the word "policyholder" and before the word "Upon", the following:

The delivery of said unclaimed monies shall be made on or before the end of the one year "wind-down" period, of June 30, 1992.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Davis (Cocke) moved that **House Bill No. 479**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 0457 -- Auctions and Auctioneers -- Establishes guidelines for firm auctioneers. Amends TCA, Title 62, Ch. 19.

Rep. Collier moved that House Bill No. 457 be passed on third and final consideration.

Rep. Collier moved to amend as follows:

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Amendment No. 1

Amend House Bill No. 457 by deleting the second sentence of the amendatory language of Section 1 and by substituting instead the following:

A firm license must be issued in the name of the firm with a specific person acting as principal and holder of a valid auctioneer's license.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Collier moved that **House Bill No. 457**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	1
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Niceley -- 1.

Representatives present and not voting were: Hargrove, Holcomb -- 2.

A motion to reconsider was tabled.

***House Bill No. 0027 -- Credit Cards -- Prohibits requiring credit card number in order to cash check. Amends TCA, Title 47, Ch. 22, Pt. 1.**

Rep. West moved that House Bill No. 27 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

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Amendment No. 1

Amend House Bill No. 27 by adding to Section 1(e) after the word "cashing" the words "or accepting".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. West moved that **House Bill No. 27**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	1
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Givens -- 1.

Representatives present and not voting were: Jones R (Shelby) -- 1.

A motion to reconsider was tabled.

House Bill No. 1279 -- Aircraft and Airports -- Regulates commercial touring by helicopter in certain counties. Amends TCA, Title 42, Ch. 1.

Rep. Huskey moved that House Bill No. 1279 be passed on third and final consideration.

Rep. Robinson (Davidson) moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1279 by inserting the following preamble before the enacting clause:

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WHEREAS, commercial touring by helicopter can present a danger to the public safety, and can interfere with the peace and tranquility of residential neighborhoods and other noise-sensitive locations, and

WHEREAS, for the public welfare these operations shall be conducted only at those sites specifically designated by each county or municipality to handle the safety and noise of commercial aviation; now, therefore

FURTHER AMEND by deleting all sections following the enacting clause and substituting instead the following new language:

SECTION 1. Tennessee Code Annotated, Title 42, Chapter 1, is amended by adding Sections 2 through 3 of this act as new sections.

SECTION 2. As used in this act, unless the context otherwise requires:

(a) "Commercial helicopter touring" means carrying passengers by helicopter, for compensation, from one site for the purpose of aerial observation of landmarks and other manmade or natural sites, touring, sightseeing or amusement or for the purpose of transporting passengers for tourist-related activities and returning such passengers to the original site.

(b) "Primary public airport" means an airport operated by a municipal government, county government, or public airport authority and regulated by the Federal Aviation Administration.

(c) "Tourist resort county" means a county having more than five percent (5%) of its territory located within the boundaries of a national park established pursuant to 16 United States Code § 403.

SECTION 3. No person shall engage in commercial helicopter touring in any tourist resort county or any municipality within such county except at a primary public airport.

SECTION 4. Violation of this section shall be a Class A misdemeanor except that no imprisonment shall be imposed. Each flight made in violation of this section shall be a separate offense.

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SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Gunnels moved the previous question, which motion prevailed.

Thereupon, Rep. Huskey moved that **House Bill No. 1279**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	90
Noes.	3
Present and not voting.	2

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dixon, Duer, Ferguson, Fowlkes, Garrett, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood -- 90.

Representatives voting no were: Hargrove, Johnson, Mr. Speaker Naifeh -- 3.

Representatives present and not voting were: Bragg, Givens -- 2.

A motion to reconsider was tabled.

***House Bill No. 0520** -- Education -- Revises Challenge 2000 approval process. Amends TCA, Title 49, Ch. 5, Pt. 50.

Rep. Davidson moved that House Bill No. 520 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox),

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DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1340 -- Television, Cable -- Creates criminal offense and civil penalties for theft of cable television services. Amends TCA, Title 7, Ch. 59.

Rep. Davidson moved that House Bill No. 1340 be reset to the Calendar for Wednesday, March 27, 1991, which motion prevailed.

House Bill No. 0424 -- Liens -- Expands restriction of lien on certain residential real property where owner resides or intends to reside. Amends TCA 66-11-146.

Rep. Shirley moved that House Bill No. 424 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Sipes -- 1.

A motion to reconsider was tabled.

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House Bill No. 0426 -- Public Records -- Requires municipal interest in real property to be registered; requires certain information to be included. Amends TCA, Title 6, Ch. 54, Pt. 1.

Rep. Shirley moved that House Bill No. 426 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Fowlkes -- 1.

A motion to reconsider was tabled.

House Bill No. 0196 -- Education -- Establishes certain educational programs for low income youth. Amends TCA, Title 49.

Rep. DeBerry moved that House Bill No. 196 be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 196 by deleting from the amendatory language of Section 1 the word "black" wherever it appears.

On motion, Amendment No. 1 was adopted.

Rep. Davidson moved adoption of Education Committee Amendment No. 2 as follows:

Amendment No. 2

Amend House Bill No. 196 by adding the following as a new section immediately preceding the effective date section and by renumbering the effective date section accordingly:

Section _____. Implementation of the provisions of this act shall be subject to the funding being provided in the general appropriations act.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. DeBerry moved that **House Bill No. 196**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 0988 -- Water Resources -- Revises membership of Upper Duck River Development Agency. Amends TCA, Title 64, Ch. 1, Pt. 6.

Rep. Callicott moved that House Bill No. 988 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross,

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Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 0989 -- Surveyors -- Repeals requirement that name, address and license number of surveyor appear on deeds to be recorded. Repeals TCA 66-24-121.

On motion, House Bill No. 989 was made to conform with Senate Bill No. 3.

On motion, **Senate Bill No. 3**, on same subject, was substituted for House Bill No. 989.

Rep. Callicott moved that **Senate Bill No. 3** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0
Present and not voting.	3

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Holcomb, Holt, McKee -- 3.

A motion to reconsider was tabled.

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House Bill No. 0908 -- Licenses -- Revises education and experience requirements for licensure of real estate appraisers. Amends TCA, Title 62.

On motion, House Bill No. 908 was made to conform with Senate Bill No. 923.

On motion, **Senate Bill No. 923**, on same subject, was substituted for House Bill No. 908.

Rep. Hubbard moved that **Senate Bill No. 923** be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Thereupon, Rep. Hubbard moved that **Senate Bill No. 923** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1375 -- Utilities, Utility Districts -- Authorizes the transfer of certain county owned assets under certain circumstances. Amends TCA, Titles 5, 7.

Rep. Cole moved that House Bill No. 1375 be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 1375 by deleting SECTION 1 and SECTION 2 in their entirety and by substituting the following new sections:

SECTION 1. Tennessee Code Annotated, Title 7, Chapter 82, Part 1, is amended by adding the following language as a new, appropriately designated section:

Notwithstanding the provisions of any other law to the contrary, any utility district having all or part of its official territory within a county may by resolution agree to accept transfer of all or a part of a water utility system operated by the county pursuant to a previous transfer of such system by a utility district to the county under this chapter, or its operation under a private act, or otherwise, which resolution must contain provisions agreeing to operate such system for the public benefit, and requiring the protection of all rights of bondholders, and which resolution must specifically state that the transfer shall be upon such conditions as may be contained in the county legislative resolution theretofore or thereafter adopted under Section 2 of this act. When all conditions of such resolutions shall have been met, the county executive and president of the utility district shall sign an addendum to the contract, identifying the county and the utility district resolutions of which the contract consists, certifying that all conditions therein have been met, and shall cause such addendum to be published in a newspaper of general circulation within the county at the expense of the said utility district, upon which publication the transfer shall thereupon be consummated by operation of law without the need for the execution of any instruments of transfer.

SECTION 2. Tennessee Code Annotated, Title 5, Chapter 7, Part 1, is amended by adding the following language as a new, appropriately designated section:

Notwithstanding the provisions of any other law to the contrary, any county operating a water utility system pursuant to previous transfer or merger under the authority of Tennessee Code Annotated, Title 7, Chapter 82, or operating under private acts, or otherwise, may by resolution agree to transfer all or any part of such water system to a utility district having all or part of its official territory within the county, which utility district was either previously formed or formed for the purpose of receiving transfer of such system, provided that the resolution must contain a provision requiring the

protection of all rights of bondholders, and must specifically state all other conditions to the transfer which may be imposed by the county legislative body, and such resolution must be approved by a two-thirds (2/3) vote of such county legislative body. Provided, however, before voting to sell, transfer, convey, or set over such system, the county legislative body shall cause notices to be mailed to all customers of such county water system or the part thereof intended to be transferred, and shall provide such customers an opportunity to testify in a public hearing, the date of which shall be fixed in the said notice. When all conditions of such resolution shall have been met, the county executive and president of the utility district shall sign an addendum to the contract, identifying the county and the utility district resolutions of which the contract consists, certifying that all conditions therein have been met, and shall cause such addendum to be published in a newspaper of general circulation within the county at the expense of the said utility district, upon which publication the transfer shall thereupon be consummated by operation of law without the need for the execution of any instruments of transfer.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Cole moved that **House Bill No. 1375**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	91
Noes.	2
Present and not voting.	3

Representatives voting aye were: Allen, Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Arriola, Ferguson -- 2.

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Representatives present and not voting were: Hargrove, Kernell, Napier -- 3.

A motion to reconsider was tabled.

House Bill No. 1300 -- County Officers -- Increase travel allowance for law enforcement officers retrieving fugitives from other jurisdictions. Amends TCA 40-9-126, 127.

On motion, House Bill No. 1300 was made to conform with Senate Bill No. 853.

On motion, **Senate Bill No. 853**, on same subject, was substituted for House Bill No. 1300.

Rep. Kent moved that **Senate Bill No. 853** be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Thereupon, Rep. Kent moved that **Senate Bill No. 853**, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

***House Bill No. 1001** -- Television, Cable -- Clarifies amusement tax exemption for basic rate cable television service. Amends TCA 67-6-212.

Rep. Head moved that House Bill No. 1001 be passed on third and final consideration.

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Rep. Head moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1001 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-6-212, is amended in subdivision (a)(5) by deleting the words "or lowest".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Head moved that **House Bill No. 1001**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***House Bill No. 0300 -- Pensions and Retirement Benefits --** Removes certain conditions under which retired teachers may work and continue to receive TCRS. Amends TCA 8-36-805.

Rep. Rhinehart moved that House Bill No. 300 be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 300 by adding the following language as Section 2 and renumbering the existing Section 2 as Section 3:

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SECTION 2. Tennessee Code Annotated, Section 8-36-805(a)(1), is further amended by adding the following language at the end of the subsection:

provided, however, that the total salary paid to any such retired member for teaching during the 12 month period shall not exceed the pertinent prorata share of average salary being paid at the institution in the academic discipline concerned.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Rhinehart moved that **House Bill No. 300**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***House Bill No. 0071 -- Utilities, Utility Districts --** Establishes procedures for removal of certain utility board members in certain counties. Amends TCA, Title 7, Ch. 1, Pt. 1.

Rep. Odom moved that House Bill No. 71 be passed on third and final consideration.

Rep. Love moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 71 by inserting the language "which has a population in excess of four hundred thousand (400,000)

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according to the 1980 federal census or any subsequent federal census" in the amendatory language of Section 1 between the words "metropolitan government" and the words "may be removed".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Odom moved that **House Bill No. 71**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Duer, Ferguson, Fowlkes, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

House Bill No. 0287 -- Driver Licenses -- Permits reinstatement of driving privileges in certain circumstances. Amends TCA 55-12-114.

On motion, House Bill No. 287 was made to conform with Senate Bill No. 196.

On motion, **Senate Bill No. 196**, on same subject, was substituted for House Bill No. 287.

Rep. Odom moved that **Senate Bill No. 196** be passed on third and final consideration.

Rep. Odom moved that Senate Bill No. 196 be reset one week to the Calendar for April 1, 1991, which motion prevailed.

House Bill No. 0539 -- Forest and Forest Products -- Imposes double damages for negligent cutting of timber from property of another. Amends TCA, Title 43, Ch. 28.

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Rep. Crain moved that House Bill No. 539 be passed on third and final consideration.

Rep. Hillis moved adoption of Conservation and Environment Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 539 by designating the amendatory language of the original Section 1 as subsection (a) and by adding the following new subsection (b):

(b) Civil liability for knowingly and intentionally cutting timber from the property of another shall be in an amount treble that of the current market value of the timber.

On motion, Amendment No. 1 was adopted.

Rep. Hillis moved adoption of Conservation and Environment Committee Amendment No. 2 as follows:

Amendment No. 2

Amend House Bill No. 539 by adding the following at the end of the amendatory subsection (a) in Section 1:

Provided, however, that if the timber is negligently cut from the property of another because the landowner for whom the timber is being cut has marked or designated the boundary of his property incorrectly, then such landowner shall be jointly liable for such double damages.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Crain moved that **House Bill No. 539**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	1
Present and not voting.	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom,

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Peroulas Draper, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullis, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Fowlkes -- 1.

Representatives present and not voting were: Purcell -- 1.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

MESSAGE FROM THE SENATE

March 25, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 158; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0158 -- Memorials, Sports -- Bo Jackson. by *Burks, et al.

RULES SUSPENDED

Rep. Purcell moved to suspend Rule No. 17, relative to the prefiling of Congratulatory and Memorializing Resolutions, so that all such resolutions will be introduced and referred to Calendar and Rules on the legislative day filed and can be placed on the Consent Calendar on the next legislative day following, which motion prevailed.

RULES SUSPENDED

Rep. Phillips moved to suspend Rule No. 49 (the 48-hour rule) so that on tomorrow Calendar and Rules may place additional bills on Wednesday's floor calendar, which motion prevailed.

BILLS WITHDRAWN

On motion of Rep. Pruitt, House Resolution No. 18 was recalled from the Health and Human Resources Committee.

On motion of Rep. Pruitt, House Resolution No. 18 was withdrawn from the House.

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On motion of Rep. Haley, House Bill No. 550 was recalled from the Agriculture Committee.

On motion of Rep. Haley, **House Bill No. 550** was withdrawn from the House.

On motion of Rep. Robinson (Davidson), House Bill No. 720 was recalled from the Calendar and Rules Committee.

On motion of Rep. Robinson (Davidson), **House Bill No. 720** was withdrawn from the House.

On motion of Rep. Turner (Hamilton), House Bill No. 1471 was recalled from the Judiciary Committee.

On motion of Rep. Turner (Hamilton), **House Bill No. 1471** was withdrawn from the House.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 12: Rep(s). Walley as prime sponsor(s).

House Bill No. 27: Rep(s). Dixon, Kent, Kisber, Knight, Sipes and Williams as prime sponsor(s).

House Bill No. 460: Rep(s). King as prime sponsor(s).

House Bill No. 908: Rep(s). Sipes as prime sponsor(s).

House Bill No. 1018: Rep(s). Turner (Hamilton) as prime sponsor(s).

House Bill No. 1046: Rep(s). Turner (Hamilton) as prime sponsor(s).

House Bill No. 1047: Rep(s). Walley as prime sponsor(s).

House Bill No. 1285: Rep(s). Allen, Cole and Kisber as prime sponsor(s).

House Bill No. 1442: Rep(s). Haley and Walley as prime sponsor(s).

House Joint Resolution(s) No(s). 148: Rep. Kent as prime sponsor(s).

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SPONSORS REMOVED

On motion, Rep. Stamps was removed as sponsor of **House Bill No. 1458**.

INTRODUCTION OF RESOLUTIONS

On motion, the resolution(s) listed was/were introduced and referred as noted:

House Resolution No. 0028 -- Memorials, Personal Occasion -- Nancy Eva Honeycutt, 107 years old. by *Windle.

Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0029 -- Memorials, Personal Occasion -- Mr. and Mrs. Dennis Lee, 50th wedding anniversary. by *Windle.

Referred by the Speaker to the Calendar and Rules Committee.

House Resolution No. 0030 -- Memorials, Personal Occasion -- Mr. and Mrs. Leonard Henry, 50th wedding anniversary. by *Windle.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0166 -- Memorials, Public Service -- Joanne North. by *West, *Halteman, *Garrett, *Robinson Robb, *Love, *Clark, *Arriola, *Purcell, *Pruitt, *Odom, Chiles.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0167 -- Memorials, Professional and Business Achievement -- Bobby Jones. by *Ridgeway.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0168 -- Memorials, Sports -- Sharps Chapel Elementary School girls' basketball team. by *Williams M.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0169 -- Memorials, Sports -- Harriman Middle School boys' and girls' basketball teams. by *Ferguson.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0171 -- Memorials, Sports -- Clinton High School girls' basketball team. by *Williams M.

Referred by the Speaker to the Calendar and Rules Committee.

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House Joint Resolution No. 0172 -- Memorials, Sports -- Campbell County Lady Cougars. by *Williams M.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0173 -- Memorials, Sports -- Sharps Chapel Elementary School Boys' basketball team. by *Williams M.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0174 -- Memorials, Public Service -- Medina Lions Club, dedication of War Memorial. by *Davis Ray.

Referred by the Speaker to the Calendar and Rules Committee.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

On motion, the resolutions listed were referred as noted:

Senate Joint Resolution No. 0129 -- Memorials, Public Service -- Clarence Andrew Powell.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0130 -- Memorials, Public Service -- Trooper Eddie Austin.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0132 -- Memorials, Heroism -- Sergeant David Hill.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0133 -- Memorials, Sports -- Jeffrey Michael Sexton, All time record scorer for Christian Brothers High School.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0134 -- Memorials, Public Service -- McMinnville Manufacturing Company.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0135 -- Memorials, Public Service -- Zadie Key.

Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0136 -- Memorials, Professional and Business Achievement -- Dean A. Deyo.

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Referred by the Speaker to the Calendar and Rules Committee.

Senate Joint Resolution No. 0145 -- Memorials, Sports -- Germantown High School varsity cheerleaders.

Referred by the Speaker to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1535 -- Utilities, Utility Districts -- Permits electric utility companies in Hancock County to erect antenna on lookout towers. Amends TCA, Title 11. by *Givens, *Cross.

Passed first consideration.

House Bill No. 1551 -- White County -- Abolishes county road department and county highway commission. Repeals Chapter 15, Private Acts of 1987, as amended. by *Hillis.

Passed first consideration.

House Bill No. 1552 -- Lafollette -- Authorizes board of trustees of community hospital to operate other health related services. Amends Chapter 161, Acts of 1897, as amended. by *Williams M.

Passed first consideration.

House Bill No. 1553 -- Luttrell -- Revises charter. Amends Chapter 94, Private Acts of 1965, as amended. by *Williams M.

Passed first consideration.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk as noted:

***Senate Bill No. 1176 --** Correctional Programs -- Establishes pilot project for chemically dependent inmates. Amends TCA, Titles 4, 8, 33, 40, 41. (HB 0828).

Held pending third consideration of companion House Bill.

Senate Bill No. 1455 -- Taxes, Real Property -- Authorizes municipalities and counties to estimate certified tax rates in certain circumstances. Amends TCA, Title 67, Ch. 5. (*HB 1299).

Held pending third consideration of companion House Bill.

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HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

House Bill No. 1549 -- Oliver Springs -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
March 25, 1991**

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the **Consent Calendar for Wednesday, March 27, 1991**: House Resolution(s) No(s). 28, 29 and 30; House Joint Resolution(s) No(s). 166, 167, 168, 169, 171, 172, 173 and 174; also, Senate Joint Resolution(s) No(s). 129, 130, 132, 133, 134, 135, 136 and 145.

PHILLIPS, Chair.

**ENGROSSED BILLS
March 25, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 162; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**ENGROSSED BILLS
March 25, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 165; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
March 25, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint

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Resolution(s) No(s). 137, 139, 141, 142, 143 and 165; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 25, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 284, 372, 548, 622, 760 and 833; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 25, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 156; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Joint Resolution No. 0156 -- Naming and Designating --**
Walter Criley Visitor Center, Radnor Lake. by *Henry.

MESSAGE FROM THE SENATE
March 25, 1991

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 903.

The Senate nonconcurred in House Amendment(s) No(s). 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 25, 1991

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 409; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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ENGROSSED BILLS

March 25, 1991

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 27, 71, 196, 300, 424, 426, 457, 479, 520, 539, 549, 632, 988, 1001, 1250, 1279, 1375, 1394, 1543 and 1550; also, House Joint Resolution(s) No(s). 158, 161 and 164; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 94

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Napier, Niceley, Odom, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Sipes, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

On motion of Rep. Purcell, the House recessed until 2:00 p.m., Wednesday, March 27, 1991.